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Darien Brown
407 Underwood St.
Farmerville, LA 71241

September 10, 2020

Louisiana Ethics Administration Program
P O Box 4368
Baton Rouge, LA 70821

To Whom It May Concern:

My name is Darien Brown and I would like to request an ethics determination in connection with the Union General Hospital's (UGH's) need for increased security and my former service as a Member of the Board of Commissioners for the East Union Hospital Service District (HSD) in Farmerville, LA. I understand that, per *La.R.S.42:1121*, during the two-year period following the termination of public service as a board or commission member, these individuals may not contract with, be employed in any capacity by, or be appointed to any position by that board or commission.

For the past 18 years, I have served as a Union Parish Sheriff's Office Deputy. Last month, I resigned from my appointed board position on the HSD Board, which I served for 3 years. As you know rural parish deputies are not highly paid individuals and we occasionally work off-duty security details to supplement our income.

Our local non-profit hospital, Union General Hospital, a small Critical Access Hospital with 20 beds, now desires to implement a formal security plan with a qualified security detail due to the escalation of drug use and violent crime and in order to protect both the staff and patients. At first glance, working as a security detail for Union General Hospital might appear to be a violation of the Ethics Rules. But, the structure of UGH and the HSD are distinct entities. This statute clearly states "**cannot be employed in any capacity by, or be appointed to any position by that board**". The HSD board has no operational control over the hospital, which is run by UGH and not the HSD. The HSD is not appointing or contracting this security position as that is the responsibility of UGH, a private non-profit corporation.

The HSD's board members are appointed by the local Police Jury to oversee the local hospital service district, which is a taxing district. Since 1983, Union General Hospital is **NOT** operated by, nor controlled in any way, by the HSD Board.

In 1983, the HSD transferred total operations of the hospital via a CEA (Cooperative Endeavor Agreement) to a private non-profit corporation, UGH, which is under the direction of

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a separate, private board of directors. The UGH board of directors is responsible for all operations, maintaining all buildings and equipment and hiring of all employees.

Again, the HSD's board only administers the local property tax that is collected and then utilized for repairs or replacement, maintenance and equipment through allocation of tax money directed to UGH as needed. The HSD's Board does not control any hiring or contracting for UGH. During my tenure as HSD board member, no decisions affecting contracting or employment were ever considered.

I would like to have the opportunity to serve on a security detail for UGH, which needs qualified and experienced law enforcement officers for security. Therefore, I hereby request an advisory opinion relative to my ability to accept a contracted position for the performance of a security detail for UGH. I would like to participate in this private duty security detail to provide daily security coverage in my off-duty hours to my local hospital. There are a limited number of available officers for this work. Therefore, my ability to participate effects both UGH and the few others who could cover the necessary shifts.

I appreciate your consideration of my request and look forward to obtaining your opinion that I may perform needed security detail work for my local hospital, UGH, and not be considered in violation of the Ethics rules of the State of Louisiana.

Sincerely,

A handwritten signature in black ink, appearing to read "Darien Brown", with a stylized, flowing script.

Darien Brown

Current Deputy Sheriff

Former Member EUHSD's Board of Commissioners

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